Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009

Message Text

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PAGE 01 ABIDJA 06592 010848Z
ACTION SCS-05

INFO OCT-01 AF-10 ISO-00 L-03 SCA-01 DHA-02 H-02 /024 W
----------020506 011000Z /21
R 010812Z JUL 77
FM AMEMBASSY ABIDJAN
TO SECSTATE WASHDC 4254

UNCLAS ABIDJAN 6592

FOR SCS

E.O. 11652: N/A
TAGS: CARR
SUBJECT: LEGAL REPRESENTATION IN IVORY COAST

REFERENCE: STATE 147704

1. CONSULAR OFFICER SPOKE WITH COUNSELOR OF THE IVORIAN SUPREME COURT WHO INDICATES THAT WHILE THE "PUBLIC DEFENDER" SYSTEM EXISTS IN PRINCIPLE, THE CONCEPT IS NOT AS HIGHLY DEVELOPED IN IVORY COAST AS IN THE UNITED STATES.

2. THE COUNSELOR SAID THAT A SIMPLE ASSERTION OF AN INABILITY TO PAY WOULD NOT BE SUFFICIENT REASON FOR THE PRESIDENT OF A COURT TO APPOINT A PUBLICLY FUNDED ATTORNEY. THE POLICE WOULD FIRST HAVE TO INVESTIGATE SUCH A CLAIM. FURTHER, AVAILABILITY OF PUBLIC FUNDED LEGAL ASSISTANCE WOULD TO SOME EXTENT DEPEND OF THE OFFENSE. PUBLIC DEFENDERS ARE SELDOM APPOINTED FOR MINOR OFFENSES, BUT FOR MORE

SERIOUS CHARGES THE COURT CAN DETERMINE THAT AN "AVOCAT D'OFFICE" IS WARRANTED. THE COURT WILL THEN SELECT AN ATTORNEY AT ITS DISCRETION FROM
AMONG THOSE AUTHORIZED TO PRACTICE IN IVORIAN COURTS.

3. OUR IMPRESSION IS THAT PROCEDURE IS NOT WIDELY OR FREQUENTLY USED EXCEPT IN THE MOST SERIOUS CASES.
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PAGE 02 ABIDJA 06592 010848Z

STEARNS

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Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
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